

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN**

CHERI MARCHELLO,

CASE NO. 20-CV-00243

Plaintiff,

HON. HALA Y. JARBOU

v.

MAG. MAARTEN VERMAAT

NORTHERN STATES POWER COMPANY-
WISCONSIN,

Defendant.

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JOINT MOTION TO POSTPONE TRIAL RELATED DATES

The Parties, Cheri Marchello (“Plaintiff”) and Northern States Power Company-Wisconsin (“Defendant”) (collectively, the “Parties”), through its undersigned counsel, hereby jointly move the Court to postpone the trial date in this case, and extend/postpone certain pretrial deadlines and, in support thereof, state as follows:

1. Plaintiff filed her Complaint and Jury Demand on December 9, 2020, and an Amended Complaint on January 18, 2021, alleging violations of Title VII of the Civil Rights Act of 1964 and Michigan’s Elliott-Larsen Civil Rights Act (“ELCRA”), including sex discrimination and a hostile work environment. Defendant timely answered the Amended Complaint denying in full Plaintiff’s allegations.

2. The Parties completed written and deposition discovery. Discovery closed on September 30, 2021.

3. Thereafter, on November 1, 2021, Defendant filed a timely Motion for Summary Judgment [ECF No. 19]. Summary Judgment was fully briefed as of December 12, 2021.

4. Pursuant to the Court's Case Management Order [ECF No. 12], the trial date for this matter is currently set for April 25, 2022.

5. In advance of the trial date, a Final Pretrial Conference and Settlement Conference is currently set for April 13, 2022 pursuant to the Court's Case Management Order.

6. As the Parties await a decision on Defendant's Motion for Summary Judgment, the parties assert there is good cause to adjourn the trial and related dates, including that the Court and the Parties should not devote resources to preparing for a trial that might be unnecessary.

7. Pursuant to Fed. R. Civ. P. 16(b)(4) and Local Civil Rule 40.2, a party can request the schedule be modified, including a continuance of trial and trial-related dates, for good cause.

8. There have been no prior requests for any trial-related adjournments by either Party.

9. As such, the Parties request that the trial-related dates (trial date, motions in limine, final pre-trial order, jury instructions, and final pre-trial and settlement conference) be postponed until sixty (60) days after a decision has been rendered on Defendant's Motion for Summary Judgment. *See Proposed Order, Exhibit A.*

WHEREFORE, the Parties hereby jointly request that this Motion be granted and that the trial currently scheduled for April 25, 2022, and trial-related dates, be postponed until sixty days after a decision on Defendant's Motion for Summary Judgment, for the reasons stated above, and that the Case Management Order be modified accordingly.

Dated: February 24, 2022

/s/ Lauren E. Clements

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Dated: February 24, 2022

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CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing document was served upon all parties and/or attorneys of record to the above cause herein at their respective addresses as disclosed on the pleadings on February 24, 2022, via:

 U. S. Mail
 ECF Filing
 E-Mail

 Facsimile
 Hand Delivery
 Federal Express

/s/ Lauren E. Clements

Lauren E. Clements

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